

REMARKS

In the Final action dated September 8, 2005, claims 1 – 7 and 16 – 19 were rejected and claims 8 – 15 were withdrawn from consideration. In response, applicants have filed a Request for Continued Examination (RCE) and have submitted 5 a preliminary amendment, which has amended claims 1 and 16, canceled claims 8 – 15, and added new claims 20 – 27. Applicants request consideration of the claims in view of the below-provided remarks.

35 U.S.C. 102 Rejection of Claims 1 and 16

10 Claims 1 and 16 were rejected under 35 U.S.C. 102(e) as being anticipated by G.R. Ash et al., U.S. Patent 6,778,535 B1, issued 17 August 2004 (hereinafter "Ash"). The applicants respectfully traverse the rejection.

Claim 1, as amended, recites:

15 1. (currently amended) A method comprising:
 routing a set-up message to a plurality of nodes in at least one transport network, wherein said set-up message reserves network resources for a plurality of traffic paths through said transport network as said set-up message visits each of said plurality of nodes; and
 routing said set-up message to said plurality of nodes in said transport network, wherein said set-up message provisions said reserved network resources for said plurality of traffic paths through said transport network as said set-up message revisits each of said plurality of nodes;

20 *wherein the reserved network resources are provisioned only if all of the resources for the plurality of traffic paths have been successfully reserved.*
 (emphasis supplied)

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Nowhere does Ash teach or suggest, alone or in combination with the other references either (1) the reservation of the network resources prior to provisioning, (2) 30 the provisioning of a plurality of traffic paths only if all of the needed resources have been successfully reserved. Each of these addresses concerns not addressed by the prior art.

First, although Ash checks each node to determine whether or not the necessary resources are available at the node prior to provisioning, Ash does not 35 reserve those resources. The difference is significant because Ash does not prevent another process from grabbing those resources between the time Ash checks to see

that they are there and the time that Ash actually provisions them. This is a problem with Ash's system.

Second, claim 1 recites that the set-up message reserves the resources for a plurality of traffic paths only if all of the resources needed for the plurality of traffic paths have been successfully reserved. While Ash discloses the provisioning of a traffic path, Ash does not teach or suggest the provisioning of multiple traffic paths as recited in amended claim 1.

For these reasons, the applicants respectfully submit that amended claim 1 not anticipated by the cited prior art.

Because claims 2 through 7 depend on claim 1, the applicants respectfully submit that these claims are allowable based on an allowable claim 1.

Independent claim 16 has been amended to recite similar limitations to amended claim 1. Because of the similarities between claims 1 and 16 applicants assert that the remarks provided above with respect to claim 1 apply also to claim 16.

Because claims 17 through 19 depend on claim 16, the applicants respectfully submit that these claims are allowable based on an allowable claim 16.

New claims 20 and 22

New claims 20 and 22 are similar to claims 1 and 16, respectively, as provided in the amendment mailed May 12, 2005. The only difference in the new claims is the addition of the limitation "*coherently*." In particular, in claim 20, the set-up message "*coherently provisions*" the reserved network resources and in claim 22, the one or more set-up messages "*coherently provision*" the reserved network resources."

Support for this amendment is found for example in the second and third sentences of the Summary of the Invention of the applicants' specification. Applicants assert that claims 20 and 22 are not anticipated by Ash because does not disclose the coherent provisioning of reserved network resources for a plurality of traffic paths.

Claims 21 and 23 are the same as claims 2 and 17, respectively. Applicants assert that these claims are allowable based on allowable claims 21 and 23.

New Claims 24 – 27

Applicants assert that new independent claim 24 is not anticipated by Ash because Ash does not disclose the checking, reserving, and provisioning as recited in claim 24. In particular, Ash does not disclose provisioning the resourced needed to establish the proposed traffic paths only if all of the resources needed to establish the proposed traffic paths have been successfully reserved.

Applicants also assert that dependent claims 25 – 27 recite limitations that are not disclosed by Ash.

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Respectfully submitted,



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